

AMENDMENT UNDER 37 C.F.R. §1.116
U.S. SERIAL NO. 09/921,713

ART UNIT 3728
Q65607

REMARKS

STATUS OF CLAIMS:

Claims 8, 11, 27 and 30 are all of the claims currently pending in this application after entry of the foregoing amendments. Claims 9, 10, 12-26, 28, 29, 31 and 32 are withdrawn from consideration, and are hereby cancelled. Claims 8, 11, 27 and 30 have been examined.

ELECTION/RESTRICTIONS:

The Examiner notes that a complete reply to the final rejection must include a cancellation of the non-elected claims or another appropriate action. Accordingly, Applicants hereby cancel withdrawn claims 9, 10, 12-26, 28, 29, 31 and 32 from this application, and reserve the right to file divisional application(s) directed thereto in due course.

TERMINAL DISCLAIMER:

Applicants thank the Examiner for reviewing and accepting the Terminal Disclaimer filed on February 14, 2003.

DRAWINGS:

The Examiner objects to the drawings under 37 C.F.R. §1.83(a). In particular, the Examiner asserts that the drawings do not show every feature of the invention specified in the

claims, and alleges that the light-shielding member that is connected to the opening/closing lid must be shown or the feature cancelled from the claims.

Applicants respectfully reiterate to the Examiner that the light-shielding member corresponds to the side plate portions 48B and 48C of the opening/closing lid 48 shown, by example, in Figure 4 of the present application. The Examiner's attention was previously directed to this fact via the Amendment filed on February 14, 2003 (see the last full paragraph on page 3). Accordingly, Applicants respectfully request that the objection to the drawings be withdrawn. Also, to provide further support for the claimed light-shielding member, Applicants hereby amend page 31 of the specification to further describe this feature.

The side plate portions 48B and 48C respectively cover elements 46B and 46C. As one skilled in the art would appreciate, the side plate portions 48 B and 48C would act to shield light from the interior of the printing plate packing box. Thus, the disclosure is merely rephrased to give the portions 48B and 48C a further name. As MPEP §2163.07 recognizes, the mere rephrasing of language does not constitute new matter, nor is the inclusion of art-recognized definitions (such as a light-shielding member).

35 U.S.C. §102:

Kudo

The Examiner rejects claims 8, 27 and 30 under 35 U.S.C. §102(e) as being anticipated by Kudo (U.S. Patent No. 4,992,815).

The Examiner asserts that Kudo discloses a box main body 13 that accommodates a bundle of photosensitive printing plates 11 and that is provided with a supply opening through which the photosensitive printing plates are taken out. The Examiner further asserts that Kudo discloses an opening/closing lid 12 that is removably attached to the box. In an effort to teach the claimed light-shielding member, the Examiner applies the groove portion 13b and the circumferential peripheral edge of the lid 14. In column 2, lines 34-44 of Kudo, the groove portion 13b is disclosed as being able to shield the interior of the magazine from light.

The present invention provides novel and unobvious features that are neither taught nor suggested by the applied references. In particular, as noted on page 4 of the specification, printing plate packaging boxes of the prior art require the photosensitive printing plates to be packaged in an internal wrapper. Thus, during the use, it is necessary to first open the packaging box, to take out the photosensitive printing plates that are contained in the internal wrapper, and then it is further required to open the internal wrapper having light-shielding properties.

The present invention provides a printing plate packaging box that does not require the use of an internal wrapper because of the claimed light-shielding member and the environment in which the claimed printing plate packaging box is used. Thus, because of these unique features, the present invention is different than the prior art, and can be used to provide manufacturing processes which include aspects not taught by printing plate packaging boxes of the prior art, which require the printing plates to be wrapped in an internal wrapper.

In order to further define the features of the present invention, claims 8 and 30 are hereby amended to recite that the box main body accommodates a bundle of photosensitive printing plates "which are not sealed within a light shielding wrapper." This feature distinguishes the present invention from that disclosed in Kudo, because of Kudo's requirement of using the flexible bag 12 which "packs the recording sheets [in the bag 12] for light interception and [which] has a light intercepting property" (see column 2, lines 27-30).

The present invention does not require the flexible bag 12. As a result, its use does not require the removal of such a bag, thus promoting manufacturing efficiency and conservation of material.

Applicants respectfully submit that Kudo fails to disclose each feature recited in claims 8 and 30, and the rejection thereof under 35 U.S.C. §102(e) should be withdrawn. Also, the rejection of claim 27 should be withdrawn at least by virtue of its dependency on independent claim 8.

Dirx

Claims 8, 27 and 30 are rejected under 35 U.S.C. §102(b) as being anticipated by Dirx (U.S. Patent No. 5,893,002). Applicants respectfully traverse this rejection in view of the following remarks.

Dirx fails to disclose each feature recited in amended claims 8 and 30. In particular, Dirx requires the use of the light-tight wrapping foils 29 and 30 (see column 3, lines 54-62). These foil wrappers must be heat-sealed to each other to form light and airtight protection for the plates. Thus, extra material is required, in addition to the extra steps of adding and removing this material.

Accordingly, Dirx does not disclose the features of amended claims 8 and 30, and the rejection thereof under 35 U.S.C. §102(e) should be withdrawn. Also, the rejection of dependent claim 27 should be withdrawn at least by virtue of it depending from independent claim 8.

35 U.S.C. §103:

Claim 11 is rejected under 35 U.S.C. §103(a) as being unpatentable over Kudo or Dirx in view of Lermer (U.S. Patent No. 5,495,944). Applicants respectfully traverse this rejection in view of the following remarks.

Rejections under 35 U.S.C. §103 are proper only when the combined references teach or suggest all of the features recited in the claims. The combination of Kudo and/or Dirx and Lermer fails to disclose all the features of amended claims 8 and 30. In particular, Lermer fails to disclose the claimed bundle of photosensitive printing plates that are not sealed within a light-shielding wrapper. Instead, Lermer discloses a medicine-type bottle, which the Examiner points out includes a shrink wrap.

Applicants respectfully submit that claim 11 is patentable over the applied references at least by virtue of its dependency on independent claim 8 due to the failure of Lermer to make up for the deficient teachings of the applied primary references in regard to independent claim 8. Thus, for at least this reason, the rejection of claim 11 should be withdrawn.

Furthermore, the shrink wrapping of an entire bottle in a thin polymeric film, as is often used on medicine bottles, would not have taught or suggested the presently claimed features of claim 11, which includes a sheet-type material having a smooth and airtight surface that is adhered to an outer surface of the opening/closing lid. Instead, if one were to apply the teachings

of Lerner to that of the primary references, one would have been taught to shrink wrap the entire device of Kudo or Dirx. However, there is no motivation in any of the references to apply the thin polymeric film of Lerner to any portion of the primary references and, in particular, the opening and closing lid.

Accordingly, Applicants respectfully submit that the rejection of claim 11 under 35 U.S.C. §103(a) should be withdrawn.

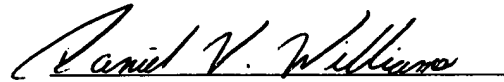
In view of the preceding amendments and remarks, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby earnestly solicited. If there are any points remaining in issue that the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the local telephone number listed below.

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The USPTO is directed and authorized to charge all required fees (except the Issue Fee and/or the Publication Fee) to our Deposit Account No. 19-4880. Please also credit any overpayment to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE



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PATENT TRADEMARK OFFICE

Date: July 10, 2003

APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

The specification is amended as follows:

Page 31, first full paragraph:

As shown in Fig. 4, the opening/closing lid 48 comprises a top plate portion 48A in which a rectangular top surface which corresponds in shape to the upper opening of the box main body 46 is formed, a side plate portion 48B at a long edge side and a side plate portion 48C at a short edge side which are bent at right angles from the peripheral edge of this top plate portion 48A. The side plate portion 48B and the side plate portion 48C form a light-shielding member. In the same way as the case of the box main body 46, a joint is formed between the side plate portions 48B and 48C. Therefore, the opening/closing lid 48 has a developed (unfolded) configuration in which the opening/closing lid 48 has portions in which the side plate portions 48B and 48C overlap (for adhesion) in an assembled state. The overlapping portions as the adhesion widths are adhered together and the side plate portions 48B and 48C are joined without clearance.

IN THE CLAIMS:

Claims 9, 10, 12-26, 28, 29, 31 and 32 are cancelled without prejudice and/or disclaimer.

The remaining claims are amended as follows:

8. (Four times amended) A printing plate packaging box comprising:

a box main body which accommodates a bundle of photosensitive printing plates, which are not sealed within a light-shielding wrapper, and which is provided with a supply opening through which the photosensitive printing plates are taken out;

an opening/closing lid which is removably attached to said box for opening/closing the supply opening; and

a light-shielding member which prevents direct entry of light from outside into the inside of the box main body, provided in the vicinity of a zone in which the box main body and the opening/closing lid are contacted to each other in an assembled state, the light-shielding member being connected to the opening/closing lid such that the light-shielding member blocks the direct entry of light from outside into the inside of the box through the zone in which the box main body and the opening/closing lid are contacted to each other in the assembled state.

11. (Amended) A printing plate packaging box according to claim 8, wherein a sheet-type material of which surface is smooth and air tight is adhered onto the outer surface of said opening/closing lid [of said printing plate packaging means].

30. (Twice amended) A combination of a printing plate packaging box and a bundle of photosensitive printing plates, comprising:

said bundle of photosensitive printing plates which are not sealed within a light shielding wrapper; and

said printing plate packaging box including;

a box main body which accommodates said bundle of photosensitive printing plates and which is provided with a supply opening through which said photosensitive printing plates are taken out;

an opening/closing lid which is removably attached to said box for opening/closing the supply opening; and

a light-shielding member being connected to the opening/closing lid such that the light-shielding member blocks the direct entry of light from outside into inside of the box through a zone in which the box main body and the opening/closing lid are contacted to each other in the assembled state.